

February 28, 2019

Arthur Wiseman
MuckRock.com
64170-93404118@requests.muckrock.com

Re: WIS 0814-18

Dear Mr. Wiseman:

I am writing in further response to your Freedom of Information Act request WIS 0814-18.

You requested, “any open records requests, salary market survey, labor market data from purchased salary surveys as well as custom local area survey results about or done for a Perfusionist or group of Perfusionists in the past 9 years, by the units at Michigan Medicine where perfusionists are employed.”

Your request is granted in part. Enclosed find a copy of the only responsive “open records” request received by the University. Private contact information has been removed from this document pursuant to Section 13 (1) (a) of the Michigan Freedom of Information Act, which allows the University to refrain from disclosing information that would constitute an unwarranted invasion of an individual’s privacy. Upon review of the responsive salary data that exists, specifically salary market survey data purchased by Michigan Medicine, we have determined that the data is exempt and is being withheld from disclosure pursuant to Section 13 (1) (d) of the Michigan Freedom of Information Act which protects from disclosure “records or information specifically described and exempted from disclosure by statute,” namely Section 4 of the Confidential Research and Investment Information Act, MCL 390.1554(1)(d). There are no additional responsive records. Therefore, your deposit payment in the amount of \$193 is being returned to you under separate cover.

Please note that within 180 days from the date of this letter, you have the right to appeal the denial of information to the President of the University or seek judicial review in the court of claims to try to compel disclosure. If you elect to appeal and the President upholds the denial, you may still seek judicial review within the 180-day period.

An appeal to the President must be submitted in writing to: President’s Office, c/o Liz Barry, The University of Michigan, 2080 Fleming Administration Building, 503 Thompson Street, Ann Arbor, MI 48109-1340 (or by email to: presoff@umich.edu). The statement must (1) identify the request and the final determination by the FOIA officer that is being appealed, (2) specifically state

the word "appeal," and (3) identify the reason or reasons why the final determination should be reversed.

If you seek judicial review in the Michigan court of claims and prevail, you will be awarded reasonable attorney's fees, costs and disbursements incurred in maintaining the action. If you prevail in part, you may still be awarded complete or partial reimbursement for those expenses. In addition to actual and compensatory damages, you will be awarded punitive damages in the amount of \$1,000.00 if the court finds that the University was arbitrary and capricious in its denial.

A copy of Section 10 of the Michigan FOIA is available for your reference and review online at <http://foia.vpcomm.umich.edu/foia-right-to-appeal/>.

Sincerely,

(SAC)

Lee Doyle
D. Lee Doyle
Chief Freedom of Information Officer

Enclosure

0292

April 20, 2018

Freedom of Information Act Officer
Michigan Medicine
2025 Fleming Administration Building
503 Thompson Street
Ann Arbor, MI 48109-1340

Re: Freedom of Information Act Request

This is a request under the Freedom of Information Act.

Under the Michigan Freedom of Information Act § 15.231 et seq., I request that a copy of the following documents containing the following information be provided to me:

- The names and total annual compensation for any employees commonly known as a "Perfusionist" or working in a similarly named role. This information should include base salary, overtime, overtime added to vacation, athletic payments, etc., whether in the form of monetary or non-monetary payments. This should be for the current fiscal year and each of the past 10 fiscal years.
- Any open records requests or salary market surveys requested about or done for a perfusionist or group of perfusionists in the past five years. Specifically, which centers were surveyed and the responses provided to any such survey.

per phone conv 4/27
title "perfusionist"
is satisfactory

by the units at UM where perfusionists
are employed
per 4/27
clarification

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$250.00.

The Michigan Freedom of Information Act requires a response to this request within five days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for considering my request.

Sincerely,

Sarah M. Schairbaum

RECEIVED
APR 25 2018